



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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April 1, 2024

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Daniel R. and Naomi R. Shenk, Harrisonburg Cohousing LLC, and Brenda G. Castello & Ted A. Morris to preliminarily subdivide three parcels addressed as 1816 and 1820 Country Club Road, and 640, 650, 660, 670, 680, 690, 700, 710 and 730 Keezetown Road*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: March 13, 2024**

Ms. Dang said in January 2024, City Council approved three requests, which included:

- An amendment to the Comprehensive Plan's Land Use Guide map to change +/- 9.3-acres to Medium Density Residential;
- A rezoning of +/- 4.73-acres to R-5C, High Density Residential District Conditional and rezoning of +/- 8.56-acres to R-8C, Small Lot Residential District Conditional; and
- A special use permit to allow attached townhomes of not more than eight units in the R-8 district.

A copy of the approved 2024 rezoning proffers is attached herein.

The applicant is requesting to preliminarily subdivide +/- 16.65-acres of property by dedicating public street right-of-way for two new public streets and by creating one lot for the existing office addressed as 1820 Country Club Road, five multifamily lots (containing a total of 54 units within nine apartment buildings), 57 townhome lots, two lots for a duplex structure, and one single-family detached home lot, which is intended to contain the existing single family home. The illustrated parking lots would provide off-street parking for the multi-family units while parking for the townhomes and the duplex structure is intended to be within attached garages within each unit.

As part of the preliminary subdivision process, the applicant is requesting variances to deviate from requirements of the Subdivision Ordinance (SO).

Note that the proposed subdivision and street names are preliminary. As part of the administrative final platting process, staff will ensure compliance with street naming and addressing standards.

(Although the preliminary street names are referenced in this staff report they are not yet approved names.)

Land Use

The Comprehensive Plan designates this site as Medium Density Residential and Mixed Use:

Medium Density Residential.

These areas have been developed or are planned for development of a variety of housing types such as single-family detached, single-family attached (duplexes and townhomes), and in special circumstances, multi-family dwellings (apartments). Depending on the specific site characteristics, densities in these areas should be around 15 dwelling units per acre. Non-residential uses may also be appropriate.

Mixed Use

These areas include both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed development was completed during the rezoning process and indicated that the project would not generate 100 or more peak hour trips, which is the threshold for staff to require a TIA. Know that during review of the rezoning requests, staff and the applicant worked together to plan for the public street network internal to the development and street stubs to connect to future neighboring developments. The proffered public street rights-of-way and accommodations for bicycle and pedestrian facilities are shown on the preliminary plat. Variances from the

Subdivision Ordinance requirements are discussed in the *Subdivision Ordinance Variance Requests* section of this report.

The plat illustrates the applicant's proffered commitments to construct a shared use path along one side of Public Street 1 (Via Rome), to dedicate land for public street right-of-way, and to dedicate temporary construction easements along both Country Club Road and Keezletown Road for potential street improvements by the City.

Public Water and Sanitary Sewer

As required, all lots would be served by public water and public sanitary sewer. The plat illustrates where water and sanitary sewer lines could be provided so that each new lot would have access to public water and sewer.

Subdivision Ordinance Variance Requests

Section 10-2-42 (c) of the SO requires all parcels to have public street frontage, however the applicant is requesting a variance to that section to allow townhome lot numbers 35-66 to not have public street frontage. This particular variance has been approved multiple times throughout the City for many existing townhome communities and staff has no concerns for this project.

The second variance request is to Section 10-2-43 of the SO, which requires a 10-foot-wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and the same type of easement of at least a 10 feet in width centered on the sides or rear of lot lines. Sheet 3 of the plat illustrates the proposed locations of the necessary public general utility easements and where some of the locations are modified. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others deemed a utility by the City. The proposed public general utility easements would not preclude utility companies from negotiating alternative easements with the property owner(s). The requirements, as specified in Section 10-2-43, are intended to ensure that necessary areas are reserved for the needed utilities in traditional subdivisions. Staff does not have concern with the proposed development deviating from this section of the SO.

The final three requested variances are from Sections 10-2-41 (a), 10-2-61 (a), and 10-2-66 of the SO., which are associated with public street design standards. Specifically, Section 10-2-41 (a) states that “[p]roposed streets shall conform to the standards and specifications outlined in the Design and Construction Standards Manual (DCSM) except those variances to the standards for streets, alleys, blocks, easements, sidewalks, and all such related features may be approved on a case-by-case basis by the city council when” particular objectives are met. Section 10-2-61 (a) states that “[t]he subdivider is required to make all such improvements to streets, including grading, subgrade, surface, and curbs and gutters, in accord with the requirements of the city's DCSM.” And finally, Section 10-2-66 states “[a]ll utility, street and alley improvements shall be provided in each new subdivision lying wholly or partly within the corporate limits of the city in accordance with standards and specifications of the city.” In particular, the applicant is requesting to deviate from DCSM Appendix F to allow reducing vehicular travel lanes on the public streets from 15 foot-wide lanes to 10 foot-wide lanes, and to reduce the public street right-of-way width from 50-feet to 49.5-feet for Public Street 1 (Via Rome) and to 40-feet for Public Street 2 (Via Milan). Additionally, DCSM Appendix F and Section 3.3.3.1 requires sidewalks to be provided on both sides of all new public streets. The applicant is requesting a variance to not construct

sidewalks on the north side of Public Street 1 (Via Rome) adjacent to tax map parcel 72-B-1 and has submitted supporting documentation explaining the reasons for the requested variances.

In this particular case, staff is comfortable granting the variance to not construct the section of sidewalk on the north side of Public Street 1 adjacent to tax map parcel 72-B-1. We appreciate the developers willingness to construct the shared use path, which will not only provide a safe place for people to bike and walk along the street but further initiates the expectation for the shared use path to be extended to the east of the subject site when the adjacent undeveloped property is developed. Staff only supports this variance with the condition that the raised crosswalk (or similar infrastructure) as shown crossing proposed Public Street 1 is provided where the public sidewalk ends on the north side of the street.

Staff supports all of the variances that have been requested with the condition recommended by staff as provided below.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which has "neighborhoods [that] are characterized by the lowest growth of any market type and low housing volume turnover." The Housing Study also notes that "Market type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.

Public Schools

The student generation attributed to the proposed 113 new residential units (the existing single family home is not included in this number) is estimated to be 61 students. Based on the School Board's current adopted attendance boundaries, Smithland Elementary School, Skyline Middle School, and Rocktown High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted that schools are over capacity in three of the six elementary schools. Note that the City has been planning for the purchase of land for a 7th elementary school for a number of years as such a project continues to be listed in the City's Capital Improvement Program.

Recommendation

Aside from the variance requests as described herein, the preliminary plat meets all other requirements of the Subdivision Ordinance. Staff supports the variance requests and recommends approval of the preliminary plat with the following condition attached to the variance to not construct sidewalks on both sides of the new public street:

The developer shall install a raised crosswalk (or similar infrastructure as accepted by the Department of Public Works) in the location as generally depicted on the preliminary plat to serve pedestrians and to serve as a traffic calming measure. The design of the accepted infrastructure requires approval by the Department of Public Works.

Chair Finnegan asked if there were any questions for staff.

Vice Chair Byrd said the shared use path crosswalk is in this picture?

Ms. Dang said yes, [referring to an image of the site] the shared use path is on the bottom side of the street and then the crosswalk is just about where that arrow is right there. It would be a raised crosswalk is what has been discussed so far. The condition we have worded in a word to provide flexibility in case there are other ideas that would be acceptable.

Chair Finnegan said I think this came up during the rezoning, the long-term plans for Country Club Road... there are plans to improve Country Club Road with some non-car infrastructure...

Ms. Dang said a shared use path on one side.

Chair Finnegan said do we know whether that shared use path would be on this side of Country Club Road or the Kroger side?

Mr. Fletcher said I do not remember which side it is but we will find out and report back. I know that we are working on some pedestrian infrastructure a little way north of Country Club Road right now which just makes me want to jump to a conclusion, but I am holding myself back.

Chair Finnegan said I [did ask] those questions in the Capital Improvement Plan review about some of the underpass and bridge replacements and stuff. I just want to make sure that we are setting ourselves up for being able to have a way to get around that is not inside of a car.

Mr. Fletcher said in either case at intersections there would be appropriate crosswalks and things like that. I think really what we appreciate in this particular situation is that shared use path really sets that expectation on this plat to extend then to the east to that very large undeveloped property, which is in one family right now, but eventually it will probably be developed, who knows when, sometime in the future. If it does, this gives precedent to continue that shared use path.

Chair Finnegan said I am a fan of the raised crosswalks. I wish we had more of those.

Mr. Fletcher said which also serves as a traffic calming method.

Chair Finnegan asked if there were any questions for the applicant or applicant's representative or if the applicant would like to add anything to the request. Hearing none, he opened the matter for discussion or motions.

Vice Chair Byrd said these roads look like roads on the shared path. I like how it looks like it will be. I understand the City's concern. Therefore, I would be in favor with...staff made a recommendation, correct?

Mr. Fletcher said to recommend approval with a condition.

Vice Chair Byrd said I would be in favor of that.

Commissioner Washington said I would still like sidewalks on both sides [of the street] but I understand that...I say I understand but then again...I am actually excited to see what this...I am not opposed to it. [To Vice Chair Byrd] I did not know if yours was a motion or just in favor of.

Vice Chair Byrd said I have not made a motion. Therefore, I will make a motion to approve the preliminary plat and variances with the conditions that staff recommend.

Commissioner Washington seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the preliminary plat request passed (4-0). The recommendation will move forward to City Council on April 9, 2024.